

Modest Reflections

On the Right Reverend the

Charles Trimmell

Bishop of *NORWICH*

HIS LATE

CHARGE

TO THE

Reverend CLERGY

OF HIS

DIOCESS.

By a CATHOLICK.

*I will also ask you one Question: The Baptism
of John whence was it? From Heaven or of
Men? And they answered, We cannot tell.*

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CHAP. 10

THE COTTON

DICTIONARY

BY J. CATHOLIC

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MODEST
REFLECTIONS

On the Right Reverend the

Bishop of *Norwich*

His Late

CHARGE, &c.

HIS Lordship's Zeal (upon his Ac- §. I.
cession to the *See of Norwich*, and
Recovery from Indisposition) to
declare upon *What the True Interest*
of our Common Profession dependeth, Page 1.
and by what Means it may be promoted
to the greatest Advantage, was worthy of Himself, and
commanded just Respect from the Reverend Clergy
of his Diocess: If any who have a due Honour for
His Lordship's Venerable Character and Excellent
Endowments do wish that his Instructions and Me-
thods for Advancing, Restoring, or Preserving the
Dignity and Honour of the Christian Priesthood or
Ministry among us, did favour more of *Christ's Bishop*
and less of the *Queen's Minister of State*; and did breath
an Apostolical Spirit less Courtly and Popular, it
ought

ought not to be charged with Undutifulness or Disobedience in any, modestly to propose the Reasons of such their Dissatisfaction.

§. 2.

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His Lordship could not well enter upon his Design and Argument without taking notice of the *Rights of the Church, a Book which under that Title destroys even the Name and Notion of a Church, and deserves to be mentioned with the utmost Abhorrence; and the whole written in a Stile so Rude and Unserious, that no Charity will forbid one to say that the Design of the Author was apparently Wicked.* That which His Lordship justly condemns in that Impious Author and his Book is, "That by the Rights of the Church he means the Liberty of the People to chuse their Church and Religion, and this Choice so voluntary as to be free not only from the Obligation of the Law and of the Magistrate, but also from any internal Obligation by the Laws of the Gospel. This his Design is indeed *levelled against the Christian Religion*, rather than against any particular Church, *and is not at all fit to promote any thing that is Honest and Good*, as His Lordship well observes. But the *loose Rights* having made a great Flourish to prove that there cannot be in any State an Empire within an Empire, that there are no Rights inherent in the Clergy or consequent on their Functions Independent on the Civil Power, that there can be no Legislature or other Acts of Government in the Church distinct from that of the State; His Lordship is pleas'd to reckon all that he has said on this Head among *the few things that are true in his Book, taken for the most part from those Divines*

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Divines whom he is pleased to despise ; and whatever false Page 4.
Turn he has given them, yet his Lordship's chief Resent-
ment against him as to these Things is, that he char-
ges that in General upon all Priests or Divines for
which whatever Occasion may be given in other Communions,
particularly in the Popedom where the Power of the
Clergy is carried to the most Extravagant Heights, yet the
Church to which that Writer belongs is free from any
just Obloquy or Censure upon that Account : And if
some few Writers among the Reformed have unwarrantable
Assertions of a like Power of the Clergy, yet ought
not the Whole Order to be traduced, much less extirpa-
ted, for the Faults of a Few. And his Malice is the
more perverse in being so Intense as to make him
forget himself, and notwithstanding what he had ci-
ted from Dr. Scott's Christian Life, and the Bishop of
Sarum's Exposition of the Articles, (Books written as Clear
of those particular Views he mentions as it was possible for a-
ny to be) yet he very disingeniously saith in his Preface
that he has met with but One Clergyman since the
Restoration, viz. Bishop Stillingfleet whom he brings into
Reproach, who does not maintain an Empire within
an Empire, except when he was Writing against the
Pope's, or for the King's Supremacy. His Lordship
supposeth what that Author has said of the good Con-
stitution of our Church of which he speaks so highly, and
against those who go beyond the Measures of Power esta-
blished, as he pretends, in It, to be Just and True ; and
so the Whole Force of his Book to be an Impertinent A- Page 5.
larm, as well as Impious in his pernicious Design and
Excessive Management of It. And His Lordship's
Opinion

Opinion and Advice, contrary to the Methods taken by some with good Intentions to secure the Honour of the Clergy against all such Attempts, is by keeping close to our Legal Establishment to show that we are none of those Men whom that very Ill Book is directed against, nor can with any Appearance or Shadow of Truth be charged as such.

§. 3. That His Lordship might speak his Mind plainly, he is pleased to mention *three Principal Opinions of late revived in Behalf of the Clergy, chiefly by those of the late Separation, erroneous in the Manner they have been urged, and no Way agreeable to the Doctrin of the Church of England about them; which seem to magnifie our Office, but they do so only to such Who have not throly considered them, viz. The Independence of the Church upon the State; the Power of Offering Sacrifice properly so called; and the Power of Forgiving Sins.*

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§. 4. 1. *The Independence of the Church upon the State.* This as claimed and practised in the Pope's Dominions is so Extravagant and Abusive, that all who have any Concern for the just Rights and Liberties of Mankind, in Opposition to the most groundless Pretences of Usurpation and Tyranny, cannot but have a zealous Abhorrence of it; and it is particularly honourable and generous in the Clergy to assert the just Prerogatives of Christian Princes over all Persons in their Kingdom, and over all Causes so far as the Dignity of the Prince and Safety of the State have any real Interest depending on them: But Learned Men should not be so dazl'd and blinded by a fair Shew of Humi-

Humility, as to submit the Ecclesiastical Jurisdiction properly and truly such to the Superior Authority of the Civil Power, and put the Church in Subordination to the State. A due Regard to the Kingdom of Christ in which his Ministers serve, and whose Person they represent ; a just Sense of the woful Distractions which a Civil Government over the Church is in Its own Nature apt to produce, and has every where actually caused ; together with a Necessary Zeal, if not for the Personal Honour and Dignity of the Clergy yet, for the Authority of their Sacred Ministrations, should oblige us to consult the proper Methods of Maintaining an equal Ballance between the Two different Powers of Church and State, and to render to Each what belongs to It, rather than to Swallow up the one in the other. The *Independence of the Church*, and the *Supremacy of the Prince* in Matters of Ecclesiastical Right and Jurisdiction, are Words of very Large and Dubious Import. The Church under the Headship of the Pope having formerly assumed and engrossed many Powers, Immunities, and Privileges which did by no Sacred Right or Warrant belong to It ; so as that Matrimonial and Testamentary Cases were made Spiritual Causes, and almost all the Temporal and Secular Rights of the Crown over the Clergy and People Cognizable at Common Law were by Spiritual Encroachments, *Vis & Modis, & in Ordine ad Spiritualia*, become subject to Church Powers ; it was reasonable and necessary that all this assumed Power which the Pope had long exercised should be *Restored to the Crown*, that the

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King's

V. The Doct.
of the Ch. of
Eng. concern-
ing the Ju-
risdiction of
the Cler. re-
concil'd with
the Oath of
Supremacy.

Page 12.

V. Some Ob-
servat. upon
the Eccl. Ju-
risdict. of the
Ks. of Engl.

Tacit. de mor.
Germ. cap. 11.

King's Supremacy should in Respect to all such unjust Exemptions and Assumptions be declared to extend over all Persons and Causes Spiritual and Temporal ; nor is he a True *Protestant* who doth not approve and applaud this *Supremacy*. But it is Questioned and Disputed whether these Acts of Supremacy at the Reformation did only declare and recognize what Right and Power doth in Church Matters belong to the Prince by the Law of Nature, the Word of God, and the Antient Customs (*Avitæ Consuetudines*) of this Realm, and so only restored what had been unjustly taken away from It ? or whether they gave the King any *New Power* ? His Lordship *Affirms the former* ; and 'tis certain that this is the Language of our Law and of the Acts of Supremacy : But it is not so Certain that such Acts speak Consonantly to the History of former Times, and the Customs of our *British, Saxon, and Norman* Ancestors ; when Articles of Religion, Election of Bishops and Archbishops, the Acknowledgment or Rejection of Popes and their Legates, &c. were determined in Parliament call'd *Witten a Gemote*, or *Conventus Sapientum*, consisting of the King, Clergy, & *Populus Terræ, Viri Militares, Duces & Sapientes*, (*i. e.*) the People or Laity ; and a kind of Independence was maintained in these three States or Orders, so as that none could be bound by any Acts of the other without their own Consent ; according to that old Maxim mentioned by *Tacitus* of the *Germans*, *de majoribus omnes, i. e.* that they would submit to no Laws in Things of great and universal Importance, (and the Matters of Religion

gion were reckoned among their *Majora*) but what had been ordained by Themselves. It is the Opinion of many Learned in the Laws and Constitution of this Kingdom, that a Personal Supremacy was Given to the King by those Acts made at the Reformation, or however has been interpreted and commonly believed to be given him, beyond any Power formerly Allowed, or so much as pretended to by our Kings. And if these Acts have mis-represented the Original or Antient Customs of this our Kingdom in Matters of which we may at this Day judge by what remaineth of the Records of former Times; we have yet less Reason to give an Absolute Credit to the Judgment and Determination exprest in them in Respect to the Essential Rights of the Church, and a Just Supremacy of the Prince, as these are to be judged and determined by the Law of Nature, and the True Constitution of the Christian Church founded and established by the Commission of *Christ* Himself, Its Lord and Head.

I shall now proceed to consider how His Lordship §. 5. argues upon this Point: And his first Remark is very important, but also of doubtful or rather dangerous Consequence. *By the Independence of the Church on the State, those who advance it generally mean the Independence of the Clergy upon the State as to the Exercise of their several Functions, and the Powers which they think to be Consequent upon them; whereas both by the general Use of the Word Church in the Holy Scriptures, and Definition of it in our 19th Article, we are led to understand the whole*

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Body of the Faithful, Ministers and People, and not only the Ministers of It. The Author of the *Rights* has made a very free Use of this Notion and Definition of a Church, it was for his Purpose; but what His Lordship could mean by It, in asserting the Supremacy, I cannot understand: The Distinction of the Clergy from Christian People and Authority over them doth not render them less subject to the Prince in Matters of common Right and Jurisdiction in the Crown over the Subject; and the Independence claim'd in Matters of Conscience and the Essential Rights of the Church, doth at the same time necessarily include the Spiritual Subjection of Christian People as such to their proper Governours, in asserting the Authority of such Governours over their People. In this Question of the Supremacy there is no Occasion to dispute whether the Clergy have a sole Church-power and Prerogative to make or determine Laws or Orders for the People? or whether the People can be bound by no Laws not ordained by and with their own Consent? The Liberty of the People as well as the Authority of the Clergy is lost in the Supremacy. And I suppose His Lordship will allow the 20th Article to be as Valid as the 19th, and that the Power of the Church therein asserted doth either in a sole or eminent Manner belong to the Clergy; and that there are some Spiritual Powers and Rights consequent upon their Functions, tho' not all which some may think to be so. His Lordship's Notion and Definition of Things therefore cannot answer his Design in It.

§. 6. His

His Lordship's first and grand Authority, as to us, §. 6.
 is taken from the *Canon of 1640*; and this as inter-
 preted by the Convocation in which Bishop Overal Page 6.
 was Prolocutor. The Argument proposed in that
 Authority shall be discoursed in its due Place; and
 if the Reason of Things there urged, with what His
 Lordship farther adds, fails to prove his Point; I
 may be fairly allow'd to suppose His Lordship to be
 so much a Friend to the Church of *England*, that he
 will not set its Constitutions or Canons at Variance
 with the Undoubted Maxims and Privileges of the
 Catholick Church of *CHRIST*, for which all Chri-
 stians having a real Concern for the Honour and
 Purity of their Holy Religion must have a Supream
 Respect. Whether the Constitution of the Church
 of *England* as Established by Law be such as the Au-
 thor of *The RIGHTS* pretends it to be? or whe-
 ther It is misrepresented by him? is no Part of my
 Design to determine or debate.

His Lordship's first Assertion in this Case deserves §. 7.
 the most strict Examination: He grants, "That
 " the Laws of the Gospel, with the Rules for Pre- Page 6.
 " servation of Order and Decency, and the better
 " Conduct of Things, and the Furtherance of the
 " Gospel of *Christ* made chiefly if not only by Bi-
 " shops, did in the Primitive Times form the Body
 " of the Faithful, Ministers and People, into a par-
 " ticular Society different from that of the State, and
 " and so far independent on It. The question then
 naturally ariseth, By what Right Christian Kings in
 after

Page 7.

after Times could claim Authority to Alter and Innovate in this Divine Establishment? To assume Church Power into their own Hands? To bring the Church into a Dependance and Subordination to It? And this not only in Common and Secular Concerns, as to which all are commanded to be subject to the Higher Powers, but as to those Rights and Powers which belong to It as a Divine Society, by which the Kingdom of God is maintain'd in and over Men; and that Power in Heaven and on Earth which our Great Mediator has Committed to Him by the Father, and which he has Committed to others to be Exercised in his Name, is Continued in his Church to the End of the World. His Lordship therefore affirms, that *the Church founded by Christ and his Apostles without Dependance on Civil Governours, and with sufficient Powers to have Continued Itself in the Order and Form of a Church, against all Opposition from Them, was not founded under any Necessity or Obligation of Continuing always Independent on, and distinct from the State, when the Civil Governours embraced the Communion of It; but in this Case the chief Ordering of human Ecclesiastical Affairs could not but devolve, as in Fact it did, upon those who had Sovereign Authority.* This is one continued Assertion, the Reasons assign'd for which are, *the Supream Powers having always had the Care of Religion; and no State admitting of Two Legislatures otherwise than in Subordination of one to the other.* These Reasons are afterwards more particularly Enforced, and must there be Examined: But it is fit to take a more Narrow View of the Hypothesis itself in a Case of so great Consequence;

Consequence ; That the Church founded by Christ with sufficient Powers for Its own Acts and Interests without a Dependance on Civil Governours, yet was not founded under any *Necessity or Obligation* of Continuing independent on and distinct from the State when the Civil Governours embrac'd Its Communion ; but in this Case the chief Ordering *human Ecclesiastical* Affairs *could not but* devolve upon those who had the Sovereign Authority. This is a very Easie Account of so great a Turn and Revolution of Affairs ; thus easily did the Greater yield to serve the less. If our Blessed LORD in Constituting the Christian Church had made such a Proviso, that it should be so in Case and View of future Christian Princes, like as God in Setling the Common-wealth or Theocracy rather in *Israel*, did prescribe Laws to their Kings which should be ; or had given any Intimation that his *Kingdom* should in after Times mix and incorporate with the *Kingdoms of the World*, so as to lose its own Distinct being as a Society founded and erected by him unto such Spiritual Ends as belong only to the *Covenant of Grace* establish'd by him ; then whatever Difficulties might from the Nature and Reason of things be objected against such a mixt State of Civil and Ecclesiastical Authority, yet there could have been no Reasonable Doubt made of this Change. But nothing of this is pretended. If the Clergy in a *General Council* had made a Voluntary Act of *Submission and Surrender* to the First *Christian Emperours* like as was done in K. Henry VIII's Time, we might then hope to know by the Preamble, or in the
Body

* Pages
32 & 35.

Body of such an Act, the Grounds and Reasons upon which it was made ; and if the Church did suffer any Loss by the Exchange made of Spiritual and Divine Powers for an Interest and Advantage in the Civil State, we their Successours should however be satisfied by what Right or Claim we are foreclosed. But we hear of nothing but Fact, that the Powers of the Church did devolve on the Civil State, if yet this be Fact ; and this might be owing to a meer Condescension in Bishops of those Times, to voluntary and private Appeals from Hereticks or Schismatics, (as His Lordship acknowledges in Part * that It did) to Insensible Degrees and Steps without any previous Design ; and if so, their Successors were obliged to stand upon their Original Right, and to recover their lost Claim and Power, rather than to confirm such Encroachments made upon It. Whether the Church was under any Necessity or Obligation of Continuing distinct from, and independent on the State ? also what those human Ecclesiastical Affairs are, which are supposed to fall under the Compass of human Authority ? will be considered under another Argument ; and from thence we shall be farther able to judge, whether It could not be otherwise but that the Distinct and Independent Powers of the Church must devolve upon Civil Governours embracing Its Communion ? Whether Kings could not profess Subjection to Christ, without becoming Supream Head under him over his Church ? And this not only in Temporals, (in which the Church during its Distinct State did not Interpose any

any otherwise than by keeping its Members and Subjects from going to Law in Heathen Courts) but as to those Spiritual Powers which It had and exercised not only in Distinction from, but in Opposition to the Civil Legislature and Government.

His Lordship's Assertion therefore in this Matter, doth not carry any Self-evidence it; but on the contrary may well sound harsh and strange to those who throly consider this Matter. His Lordship's first and chief Argument is taken from the *Jewish Church and State, which* (as His Lordship saith) *were not different Societies, not distinct from, or Independent one on the other; and all the Members which made up the State being also Members of the same Communion in the Church,* His Lordship thinks it plainly incongruous to say they were different Societies: And this (as His Lordship argues) may whenever God pleaseth be the Case of any Christian Church in any other Country, and in this Case it is that the Question of the Independence of the Church on the State doth properly bear. That I may treat this Matter the more distinctly, I will examin the Force of this Consequence drawn from the *Jewish Church and State* to the Christian; also whether if this Parallel and Consequence be allow'd, a Legal Supremacy in the King over the Church be proved from thence? And in what Sense we must understand His Lordship? when he saith that *It is in this Case* (of the Church and State not being different Societies distinct the one from the other) that the Question of the Independence of the Church on the State doth properly bear.

Page 8.

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§. 9. As

§. 9. *As to the Force and Consequence of this Parallel between the Jewish Church and State of the Christian, my first Remark is, That the Succession between these Two is very distant and remote, in this particular ; not so in those Respects in which the Succession doth really hold. His Lordship well observes, that at the Time of our Saviour's Appearing the Jews being in Subjection to the Romans, their Church and State were in some Measure different one from the other : But that the Foundation of the Separation of the Civil and Ecclesiastical Power should be laid in Our Saviour's Time, and as Peter de Marca quoted by His Lordship pretends, by our Saviour Himself, saying Give unto Cæsar the Things which are Cæsar's, and to God the Things which are God's, is not at all agreeable to the History of that Nation ; and His Lordship well argues, that that Answer of our Lord*

Page 8. *could not establish any Distinction or Separation between the Civil and Ecclesiastical Powers, but would have been as proper in David's or Salomon's Time. But whatever new Subjection the Jews were under at that Time, fulfilling the Antient Prophecy Gen. xlix. 10. yet had the full and perfect State of that Nation and Church and of Religion and Government in It ceased as to a Setled and Constant Series of Things, for many Ages before, almost ever since Salomon : Nor can this Platform for the Christian Church and State recommend itself for our Imitation with Advantage in any Age since Salomon, tho' the Examples of Hezekiah and Josiah are of Use. But this is not the most material Remark in our Case : We must farther consider, That the State of the Jewish Church and Nation, and of Religion*

Religion and Government in It, was *as full and perfect in its Beginning*, before Kings were made, as ever it was under any the Best of them; and herein the *Jewish State* runs Parallel with the Christian Church. His Lordship is pleas'd to say, *That the full and perfect State of the Christian Church is not to be taken from its Beginning, when under all Worldly Disadvantages imaginable it manifested a Divine Original and Power preserving It; but from the Progress and Success of It, and the Accomplishment of the Prophecies which fore-told that Kings should be Its Nursing Fathers, and Queens Its Nursing Mothers.* This is Seasonable in our Time, and makes an Handsome Compliment to our *Pious and Gracious QUEEN*: But in different Times Persons of good Sense and Authority have spoken a different Language: And as to the *Jewish State*, Why are the Times of the *Theocracy* forgot? Was not the Church of *Israel* then in a full and perfect State? Or did It receive its Perfection by *Casting off God from reigning over them, and having a King to Rule over them after the manner of the Nations?* The Holy Scripture doth not form any such Ideas in us, they derive from a later Original. The State both of the *Jewish* and Christian Church was full and perfect in its First Foundation and Establishment by Its Divine Author and Head: And if God in Founding the *Jewish* Church and Nation did make a Supposition of future Kings, and prescribe Laws in such Case fore-seen, yet doth He not speak of any new State of Perfection by them to be added to his own Foundation: And if the Temple at *Jerusalem*, with all other Advanta-

Page 9.

ges which the *Jews* enjoy'd under *David* and *Salomon*, did not render their Church State more full and perfect, but rather more human and imperfect than It was under an *Immediate Theocracy*; much less can it be said that the full and perfect State of the Christian Church must not be taken from Its Divine Original, but from the Worldly Advantages accruing to It by Kings and Queens: Nor do the Holy Prophecies fore-tell any New State of Perfection which they should add to the Christian Church, but only that they should bring all their Glory to It in willing Service and Subjection: And it is a New Kind of Perfection which a Divine State and Society should receive by giving up all Its Rights and Powers to be in Subordination to a Civil, Human, Worldly Authority and Dominion. But there is another Remark to be made on this Head more considerable than the Two former, and more obvious; and that is the Great Change which is made in the Whole State of Religion and of the Church by the Gospel. The *Jewish* Church could not subsist in every Nation, but only in the Holy Land: The *Jewish* Priesthood had no Powers annex'd to it equal to those which our Blessed Lord gave to his Apostles and their Successors: Their Kings and Princes were by the Law of their Constitution necessarily their Brethren, of a chosen Tribe, Members of their Communion: Their Covenant in the Visible Sense and Administration of It constituted an Earthly Carnal State, and was enforced by Temporal Rewards and Punishments: Their Reforms, in case of Idolatry or other Corruptions,

ruptions, consisted in Reviving a neglected External Service according to the Express Letter of the Law, and needed no Gifts of Wisdom but only Zeal and Courage : All Sacred or Special Administrations being confin'd to a particular Place, had many Secular Rights by Divine Institution included in the Sacred Office; and their Priests could not exclude any from the Benefit of their Sacrifices for any Immoralities of Life, but only for Legal Incapacities. But a general Consideration of the Great Difference in the Whole State of Religion and of the Church between the *Jewish* and Christian Church, may convince us that any Parallel drawn between these must be managed with great Allowance for the Alteration and Change of Things made, or else the Argument and Consequence drawn from such a Parallel is very precarious.

But let the Parallel and Consequence of it be Allowed, *The Jewish Church and State consisting of the same Members did not make Two Different Societies Independent the one on the other*; Doth it then follow, that the Kings of *Israel* or *Judah* had and exercis'd a Supremacy over the Church? Or where did the Supremacy *lye? And supposing It were the Will of Christ, and the Nature of the Thing could bear It, that in a Christian Nation the Church and the State should form one Body, so as not to be Distinct from or Independent one on the other, Would a Legal Supremacy in the King over the Church follow from hence? And will the Parallel between the *Jewish* and Christian Church Prove or Justifie such a Consequence?

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* See Mr. Thorndi. quoted by *The Rights*, Pref. Page 4.

Did the *Care of Religion* which *Jewish* Kings had incumbent on them answer to an *English* Supremacy in all Its Branches; or in Its general Use? The Supream Powers in the Persons of Godly Princes may have the *Care of Religion*, and *intermeddle in its Affairs Jure Regio*, as *de Marca*, in a general Sense; and such *Care* will always have in it a Sovereign Authority of a Civil Kind: This *Care* will include Offices of Goodwill and Beneficence, for Example, in Conferring Temporal Baronages upon Episcopal Sees and Enlarging their Districts, also in Supplying the Expences of the Bishop and Clergy at the Publick Charge, that General or Particular Councils might not be Burthensome to those who first direct and persuade the King to call a Council, and them convene by his Call and Authority: And this *Care* may have Right and Power in It, either by Law or Uncontroul, to *Thrust out* a Bigotted and Affronting Archbishop, as *Salomon* did *Abiathar*, and as *Henry II.* made *Thomas a Becket*, alias *Dereman*, to travel for Seven Years. Yet all this *Care of Religion* in the Supream Powers notwithstanding, the *Bishop* shall have an Immediate, Sovereign, Independent *Care*, (*i.e.*) *Authority and Government over his Church*, like that of a *Father* in a House and Family, in a regular and constant Course; and the King Himself, the Civil Lord and Master over all Persons and Causes in the Secular Kind, shall yield willing Reverence and Subjection to the Authority and Government of *CHRIST* in his Church, administred by the Bishop as Chief Minister in his State and Kingdom. I see no Shadow of Contradiction or Inconvenience

venience in this Notion and Supposition of Things here proposed, nor any probable Connexion between the *Care of Religion* and the *Supremacy*. But to consider this in the *Jewish Platform*; I must be allowed here to triumph before the Victory, and in General to declare that no Pattern or Model can more perfectly disagree to a Legal, Human, Worldly Supremacy, than this of the *Jewish Church and State*, which His Lordship in Concurrence with the *Canons of 1640*, and the *Convocation* in which Bishop Overal was *Prolocutor*, and innumerable other good Authors have made to be the very Ground-work and Platform of our *English Supremacy*: Nor do any Christian Priests desire more Authority to be acknowledged in the Church, (with a due and necessary Allowance for the different Nature and State of Things under the Gospel) and in Them, than what all must own to have been in the *Jewish Hierarchy*, which in some Measure was a *Theocracy* even under their Kings: Nor can any Man Learned in the *Jewish Writings*, whether Canonical or Human, have the least Tincture of a *Jewish Spirit*, but he will look on a *Legal Supremacy* of a Civil Authority to be one of the greatest Obstructions to the Conversion of the *Jews*, who have other Expectations concerning the *Messias and his Kingdom*, when *Israel* shall be Restored, and the *Glory of the Lord shall fill the whole Earth*, which shall then be a *Temple of God*: For where, I pray, was the Civil Authority in the *Jewish State* so boasted of? His Lordship answers, in *Moses, David, and Salomon*. But surely the Mention of *Moses* in this Case is plain-

ly Incongruous : *Moses* acted not by Any Civil Authority or Power ; his Establishment is proved to be of God, and not from human Policy, by this among other Reasons, That he gave so Visible a Preheminence to *Aaron* and the Tribe of *Levi*, which was *separate to God above all their Brethren and the Lord's Portion*, hereby having a Dignity above the Rest of the Nation as great and peculiar as that Nation had above the Rest of the World : In that Constitution which he fixed by Divine Appointment, the Glory of that Nation consisted in being a *Kingdom of Priests* ; nor was there any Regal Power till long after his Time, nor any Civil Supream Power, or Shadow of It, instituted by Him. Was this Civil Supremacy then in *David* or *Salomon* ? But could these or any other Kings break in upon the Constitution at first settled by *Moses* ? Or could they alter and change any present Customs and Usages in the Church, otherwise than by Reviving the Observance of the *Law* when It had been neglected, or by Divine Inspiration ? The Learned Bishop of *Meaux*, whose Authority or Judgment in these Matters is worthy of Regard, assures us, (nor doth *Peter de Marca* quoted by His Lordship say the contrary) “ That the “ Body of the *Jewish* Laws was not a Collection of “ Statutes made and Revised at different Times and “ Occasions, but the Whole was foreseen and appointed by *Moses* ; that we read no Ordinances of *Salomon*, *Jehosaphat*, or *Hezekias*, tho’ pious and zealous “ Kings ; that these good Princes had nothing to do “ but to make the Law of *Moses* be observ’d by their “ Subjects ;

“ Subjects ; and that for them to have gon about to
 “ Add or Take away any One Article, were such
 “ an Attempt as would have made them be regarded
 “ with Horrour by the People. And if we give any
 Credit to the Rabbins, they assert such an Authority and Power in the *Sanhedrim* over their Kings as to us seems Extravagant, and Ridiculous beyond the known Story of Bishop *Ambrose* and the Emperour *Theodosius*. I shall now transcribe the *Canon* of 1640, and the Interpretation or Confirmation of It in Convocation, as quoted by His Lordp. The Canon saith, *That Prelates used this Power, of Calling Councils, before, because they had no Christian Kings : The Convocation tell us, how by Degrees the Apostles did settle the Government of the Church among the Gentiles converted to Christ, most suitable and agreeing with the Platform ordained by God Himself among the Jews : There was only this Want to the full Accomplishment of such a Church Government as was settled among the Jews, That during the Apostles Times, and for a long Season afterwards, It wanted Christian Magistrates to supply the Rooms of Moses, King David, King Salomon, and the Rest of their Worthy Successors.----- And moreover we have sufficient Warrant by the said Practice of the Apostles to judge, that if all the Kings and Sovereign Princes of the World would have received the Gospel whilst the Apostles lived, they would have settled this Platform of Church Government under them in every such Kingdom and Principality: That as the Three Essential Parts of the Priesthood under the Law were translated to the Ministry or Priesthood in the New Testament, so the External Shew or Practice of them might have been*

*Schickard Jus
Regium Hebr.
Cap. 2. The.7.*

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Page 7.

*Vide Defence
of the Vindi-
cation of the Depri-
ved Bishops.*

in Effect the same under Christian Princes, that it was under the Godly Kings and Princes of Judah. I shall leave the Reader to judge from what I have said how far this Platform will reach our Case, and what it signifies at all. I shall now suppose an Incorporation of the Church and State in a Christian Nation, and this in its first Principles and Beginning: It is worthy of Consideration, whether in the first Beginning of a Christian State Kings becoming *Nursing Fathers* did receive the Church as a *Nurse-child* under their Tutorage and *Authoritative Care* Spiritual and Temporal, and became *Personæ mixtæ*; or did rather as *willing Subjects* and *Adopted Sons* with *Reverence and Fear* bring all their Glory as a *Tributary Offering* in a reasonable *Subjection to the Church*? Not that the Emperour in being Baptized by a Bishop should, as *Bellarmino* conceits, make an *Implicite Disposal* of his Crown and *Sovereign Authority* to the Bishop; but to use and employ his Civil Dignity and Authority for the Church's Interest, in a willing Subjection to Its Native Divine Rights and Powers: So as that the Affairs of Religion, *Ecclesiae Salus*, should still remain purely under Spiritual Cognizance, and its proper Authority be exempt from Civil Jurisdiction. The King or Emperor is by Baptism added as a Member to the Church, not as a publick but only as a private Person: He receiveth greater Benefits by the Communion of the Church, than the Church can obtain Advantages by Him: And whatever Union and Incorporation be made of the Church and State consisting of all the same Members, as it is the Will
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and Command of God that It should do in every Christian Nation, yet is it not fit that the Authority of Religion and Interest of the Church should be Subject to all the Reasons and Politicks of State. I can see no Law or Necessity of a Legal Civil Supremacy arising from such an Incorporation of Church and State. I will say no more in a Case which seems Plain in Itself, if Civil Interest and Worldly Advantage did not incline and byas the Minds of Good and Excellent Men to a contrary Sense of Things.

But supposing such an Union and Incorporation of §. 11.
Church and State, that they do not make Two different Societies distinct the one from the other ; His Lordship saith, that *it is in this Case that the Question of the Independence of the Church doth properly bear.* That the Church, in case of no Christian Kings, or of their being Hereticks and Schismatics and so not of Its Communion, has a Distinct Being and Independent Power within Itself unto Spiritual Ends, is granted by all. That the Church being so incorporated with the State as to have no distinct Being as a Society, can have no Independent Power of Its own will not be question'd by any : *Of Nothing Nothing can be affirmed, and to act supposeth to be,* are Maxims of Reason universally agreed : Nor do I see that the Question in this Case can bear at all. All the Question must be, Whether the Church in a Christian State has any distinct Being as a Divine Society, or in being incorporated with the State has lost all Distincti-

Page 8.

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on from It? Or else, Whether not an *Independence*, but an *Absolute Supremacy* must be ascribed to the one over the other; like as the *POPE* claimeth over *Kings* and *Kingdoms*; and like as *Kings* are now said to have over the *Church*? The Question of *Supremacy* doth, indeed, properly bear in this Case; but the true Notion of the *Independence of the one State and Power on the other, is in this Supposition wholly and necessarily lost*: The Church in this Case (as Archbishop *Laud*, quoted and approv'd by His Lordship, saith) *is in the Common-wealth, and not the Common-wealth in the Church.*

§. 12. I shall not dispute the Point of *Supremacy*. It is certainly contrary to the Religion of Christ, and to his Church and Kingdom in the World, to pretend his Authority to the Prejudice of the Secular Rights of any Princes, Christian or Infidel. *His Kingdom is not of this World*: He lets the Emperours and Princes of the World alone with the Use of their Dominions. But I will, as I think, plainly prove, That the Church founded and establisht by Christ and his Apostles, was not only under a Necessity and Obligation to continue distinct in its Being and Independent in its Powers on the State; but that all Union and Incorporation whatever that can be imagined being suppos'd, the Church must retain its distinct Being and Independent Power, or it can have no Being at all; no Title of Relation to Christ Its Head; no Presence of Christ and his Spirit in It and with It; no Power over the Consciences of Men: Such

Such is the Absolute Nature of the Church and its Power. So that tho' the Wisdom, Authority, and Grace of *CHRIST* our Lord and God, might be pleaded as a sufficient Reason that his Church founded without any Dependance on the Civil Power should continue such, and the Law of Its Foundation be counted Necessity and Obligation sufficient for its Continuing the same; yet I shall shew, That the Wisdom of our Lord in this his Establishment is such, that it cannot be altered without being destroyed. The *Commission* which Christ gave to his Apostles and their Successors to the end of the World, and the *Grand Charter* of the Church declared in the Gospel and Sacraments to them committed, as it is High in Dignity beyond all other *Commissions and Charters* in the World; so where It obtains it must be a *Foundation* of a *Society* vastly different from all other Orders in the World. *As the Father has sent me, so have I sent you: As I am not of this World, so they are not of this World: Go ye forth into all Nations to make them my Disciples by Baptism, and to teach them to observe all things whatever I have commanded.* The Subjects in this *Divine State and Kingdom*, cannot fall under *Secular Jurisdiction*; and their Interests are of infinitely greater Concern, than all Worldly Advantages whatever: Nor can the *same Persons*, in a strict and proper Sense, be said to be *Members both of the Church and of the State*; for Men are Subjects of the State only in Matters of *External Liberty and Property*, but they are Members and Subjects of the Church in Points regarding the *Soul and Conscience*: It is the Priest.

Vide Defence of the Vin li. of the Deprived Bishops, §. 66.

Priest who in GOD's Name teaches and commands Men to obey the Civil Power, not for Wrath but for Conscience sake. The Laws of this Divine State and Kingdom do comprehend the most valuable and necessary Laws of Civil Order and Government, in a Subordination to its peculiar Mysteries; but they are also vastly more Comprehensive, Noble, and Spiritual. The constant and solemn Promulgation and Interpretation of these Laws and Mysteries in the holy Assemblies gathered in Christ's Name, which is the Legislature in this Kingdom; and the Administration of those Sacraments which are External Signs and Seals of a Divine Covenant transacted, by which Men swear Allegiance to their Saviour and Lord, must run in the Name and Authority of *Christ* the LORD; by Whom these Sacred Functions are instituted, and also the Persons exercising them are substituted. The Acts by which any Members are admitted into this Society, or excluded from It, are vastly different from any Right of Freedom and Privileges given in a Civil Government; they require peculiar Qualifications in the Persons admitted to be Denizens in this Holy State; and these Acts can be perform'd by none but the *Ministers of Christ's Kingdom*, in the Exercise of their own Judgment, according to the known Laws of the Gospel; and the Acts of this Government do express a real Application of the Promises and Threatnings of the Word of God, do enstate Men in his Favour and Love, or lay them under his Wrath and Displeasure: And God has, if I may so speak, obliged Himself to ratify

tifie all regular Acts of this kind administred by those whom he has *Empowered* to act in his Name. This Society * bears a Mystical Relation to the Heavenly State and Church, therefore called the *Kingdom of Heaven*; the Bishop making One Person with Christ the Archetypal High Priest and Head; and the Visible Body of the Faithful representing the Catholick Invisible Church of all Saints; and this Kingdom of Christ is the *Exercise* of that *Power which is given him in Heaven and on Earth*, and a *Prefiguration* of the Kingdom which he shall personally administer at his glorious Appearance. This is that *Divine Society* in which God even the Father, and our Lord Jesus, and his Spirit dwell, walk, speak, act, and rule among Men. Thus the Embassadors of Christ have the Ministry of Reconciliation committed to them: Thus the Ministers of Christ are Stewards of the Mysteries of God; and the Scepter of his Kingdom is put into their Hands for the Conquest over Enemies, and the Reconciliation and Peace of those who submit. Nor can the detested Author of *The RIGHTS*, and other Men of his Kidney be convinced; nor the Growth of Deism be prevented; nor the Interest of Religion and Godliness, not to say the Honour and Dignity of the Clergy, be secured, whilst this *Divine Constitution of the Church as a Distinct Society, and Its Independence on the State* is not asserted and maintained. And let whatever Incorporation of the Church on the State be imagined and supposed, yet unless the Church be wholly abolished, It must preserve its Distinction from the Civil Authority and Power. Tho' all the

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* Mr. Dodwell Prelim. Def. Part. 2. p. 246-

Bishops should take out *Patents* from the King to preach, give Orders, and administer Censures as by License from him, and so become the *King's Bishops*; yet must this imply an absolute Renouncing *Christ's Commission*, which Lay-powers can no more convey to others, than they may Themselves Preach and Administer the Sacraments; or else this Commission will contain and carry in it a divided Authority, such as may raise a Jealousie of *Imperium in Imperio* in those who are Strangers to the true Design of Christ's Religion: And even in this extraordinary Case, once known (as to some) in *England*, it is hoped that however the Appearance and vulgar Judgment of things might be to the contrary, yet the *Supremacy* must be placed in *Christ's Commission*, and the *Subordination* in the *King's Patent*. Tho' the Diocesan Districts are from the Civil Power, and *Bishops may not exercise their Office and Power in any Christian Kings Kingdoms but by and under their Power*, as Archbishop *Laud* quoted by His Lordship; yet will the *Bishop* always be thought a Person very different from the *High Sheriff of the County*, and the *Two Convocation-men* distinct from the *Burgesses*, and the Church in the Diocese a distinct Society; for which Assertion besides other obvious Reasons I assign this, That this Church always retains an Independent Power of Continuing Itself in its Church-form and Order, in Opposition to the Civil Authority and Power, in case of Regal and Parliamentary Defection. Besides, this Division of Districts, and Election and Investiture of Bishops in their Sees, and what else belongs to the Exercise of the

the Sacred Functions in the KINGS or QUEEN's Dominions, is no Act of *Supremacy* but of Providential Ordination ; no Matter of Right, but of Courtesy and mutual Compensation ; and the History of Changes and Variations in all these Points, is very profitable and diverting.

Tho' all Persons were *Native Members* of the Church in being born the KING's lawful Subjects, or were admitted Members of the Church by an *Oath of Submission* to the Government, like as on the contrary an *Act of Religion in the special Administration of the Church of England is made a Test to qualifie Men for Worldly Advantages*, the State herein doing Homage and owning a *Subordination to the Church* ; yet even in this Case if it be at the same time known and believ'd that very special and distinct Qualifications do render a Man a true Subject and Member of *Christ's Body*, besides and beyond what is requisite in a true and good Subject of the State ; and that peculiar and high *Privileges* are given in the *Communion of the Church*, beyond all worldly Advantages imaginable which the Civil Power can bestow ; this is enough to keep up a Suspicion of an *Empire within an Empire* : And that tho' the Church and State seem to coalesce the closest that can be in one Body, yet the Church always doth and necessarily must continue a Society distinct from the State, and so far Independent on It : And that it is the Interest of Princes both in Conscience and Prudence to own the true Independence of the Church, rather than to affect a Legal Supremacy over It. I desire the Reader to judge from what is now said,

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whether the true Independence claim'd by the Catholick Church of *CHRIST* can consist only in this, That the *Power of Preaching the Word and Administring the Sacraments belongs not to Princes but to Ministers?*

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which His Lordship declares to be all that is claim'd by the Church of *England*: Also *what Powers* are by necessary Right consequent on the *Exercise of Sacred Functions*, which Powers His Lordship has not been pleas'd to assert or express, but only to speak of *Powers which some*, without just Reason, *think to be consequent on Them?* Also whether allowing that *no State or Kingdom will or can admit of Two Legislatures otherwise than in Subordination of one to the other*, the Civil State in our Nation doth not by the *Test Act* qualifying for all Places of Dignity and Trust, own a *Supremacy in the Church and Subordination in the State?* Also whe-

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ther *distinct Laws, and Offices for several, and infinitely distinct Purposes in Church and State*, (together with a distinct Commission and Charter, distinct Subjects and Members, distinct Dignities and Privileges) *do not make Two different Societies?* An *indelible Character* in the Church will always render It distinct from the State and independent on It, whatever Subordination It may suffer in the Exercise of Its Acts and Powers. Hidden and mystical Relations are counted Beings of the lowest Entity, but they have the greatest Efficacy.

§. 13.

Pages 7,
& 10.

But the finishing Consideration in this Matter is to inquire, What are the *Humane Ecclesiastical Affairs* (*distinct from those Laws which are Immediately of GOD* which

*which are indeed independent on the Church as well as the State) which fall within the Compass of human Authority, and in which the Royal or Legal Supremacy takes Place? The Truth of general Propositions must be made good, by the Explication of the chief Particulars comprehended in them; for if an Hypothesis doth not serve to explain the most remarkable *Phænomena*, it is no better than an ill contriv'd Romance. Now these Affairs of Religion and the Church which are made subordinate to the State are,*

The Calling and Convening Councils, freely to adjudge *Page 6, & Appendix.*
of such Doctrins and Articles of Faith which are by the Authority which conveneth them proposed for their Determination, and such their Decisions to receive their Validity and Sanction from the same Authority: And the Clergy in their several Stations must preach, and the People believe, so far at least as their Rank and Figure puts them under a special Cognizance of the State, what the King and his Ecclesiastical Counsellors have Agreed and Confirm'd. It was the great Concern and Business of the *Rights* that it might depend on the Civil Magistrate what Gospel and what Faith should be Preached in their Territories; and eminent Masters had gon before him in this Design. And if the Prerogative and Power now mention'd, and which is the highest Point in the Supremacy, be ascrib'd to Christian Princes, all the most different Explications of the Articles of Religion will eventually depend on their Sovereign Will and Pleasure: And the Primitive Orthodox Faith may be as much lost and hid in a Christian Kingdom,

Page 12.

as the *Five Thousand* who had not bowed the Knee to Baal were in *Israel*. New Creeds and Confessions shall in continual Course succeed in the Room of the Old with every Change of Emperors. And as His Lordship seems to question, Whether upon a *nice Enquiry* it will not be found that there has been no *Council truly general* since that of the Apostles; so others will be tempted to question, Whether any Councils call'd and *managed* by the Civil Authority can be said to be Christian or Free: And in short, if all Ecclesiastical Legislature and Judgment in a National or more General Council, consisting in the Interpretation of Doctrins, and Laws, and Decision of Cases, (agreeably to the only Rule and Standard of these Things in the Laws or Declarations which are immediately of God in the Holy Scriptures) depend thus on the Civil Authority and Sanction, then doth all Religion and Faith depend on the Prince, and both may and must change and turn at his Pleasure; and in the dernier Refort nothing will be Matter of Conscience in the publick Exercise and Profession of Religion, but as it stands confirm'd by Royal or Parliamentary Authority. But that this my Discourse may not all tend to *Priest-craft* and *Priest-riding*, (Terms of Reflection which to me, and according to the most *Modern* Use of those Expressions, are altogether equivalent and synonymous to *Atheism*, *Deism*, *Hobbism*) I shall take the Liberty to make this Remark, That this Power exercised by *Constantine the Pious and Great*, was so *Natural and Innocent in its first Use*, that if *Bishops* in an ambitious and contentious Abuse

Abuse of their Power had not led the Way, and set the Example of *Imposing Critically* on the Faith and Conscience of *Christian People*, all the *Kings and Emperours* of the East and the West, of the Earth and the World, should not have had either Heart or Power to Impose and Top upon them: And if this kind of Legislature, either as in a General or National Church, were not more regarded than there is Cause, the True Legislature and Government in Christ's Church would not have been disputed or question'd.

The next Point of Supremacy is the *chief Ordering and Disposing Matters of Ecclesiastical Polity* and Church-order and Decency: For *tho'* all particular Churches are oblig'd to observe the Rules given by our Saviour and his Apostles to the Church in general, and to make their Communion such as other Churches may join in; yet there is no visible Authority to enforce the same external Polity, so far as it is human and prudential, upon all particular Churches. And so far as I can discern by the Relative and Connecting Particles *tho'* and *yet*, and by the Assertion and Restriction, there is no Need of any external Polity distinguishing particular Churches from the general Law of all Churches, other than what belongs to *Diocesan Jurisdiction*: And this Power seems by the Nature of things to be lodg'd in the *Bishop and his Clergy together*, with an human and prudential Regard to the *Peace of the Laity*: And in these Concerns no Bishop must *Ἀλλοτρίως ἐπισκεπτεῖν*, but every one is *Father and Master* in his own House and Family, so as he intrench not upon the general Laws of the Catholick Church.

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In Usum Sarum, Bangor, &c.

Church: And if I may venture a particular Opinion, which I shall not stand now to justify by proper References, I conceive that the first Use and Authority of *Liturgies* was *Diocesan*; and like as among the *Jews* any *Famous Rabbins and Doctors* taught the *Disciples* of his *Sect and School* to pray, so each *Bishop* in his *Diocese* prepared an *Orthodox Liturgie* for his *Clergy*. If I seem to my Reader to make too light of this Subject, it is from this Reason, That much greater Offices and Powers being by the Tenour of this Discourse ascrib'd to *Bishops* than that of Ordering Ceremonies, and Composing Liturgies, and Prescribing the Matters of an external Polity, whereby particular Churches are distinguished from the Catholick Church, (as much as the Invariable Acts of their Ministry and Authority in Christ are greater than any Power which respects mutual Laws depending on human Consent) it is but fit that they to whom the greater Things are committed, should be entrusted with the Lesser.

Page II.

The last Point of Supremacy respects the *late Exercise of the Authority of the Whole Legislature over Bishops and Presbyters upon a Civil Account*. I shall not revive the Dead Cause of the *late Separation*; all that I shall say to that is, That if the Bishops and Clergy then Deprived did not rightly understand their Spiritual Tenure before they were outed of their Secular Claim, if they had not learnt the Difference between a Spiritual Relation and a Law-district, and the obligations of Conscience in a Christian People to adhere to Spiritual Governours as Superiour to all other

other Authority and Power, until they could not comply with this ; there is the more to be remark'd in the Providence of God instructing them by Correction, and their Plea to the continued Subjection of their former People coming *ex post Facto*, and *out of Season*, was with the more Reason and Justice overruled. But His Lordship in this Paragraph speaks of *Popish and Puritanical Writers*, as the only Persons who did before censure this Exercise of Legal Authority ; and p. 8. of *Popish and Presbyterian Entroachments*. I have once and again in this Discourse declar'd against the Popish Pretences in this Matter ; as to the other Party I shall now say, That if there were Nothing more to be Faulted in *Puritans and Presbyterians* than their *Scruples* about the *Supremacy*, and their *Fears* lest the *Regalia of CHRIST's Kingdom* should hereby be Invaded, and their *Loyalty* to him their only *Lord and Master* be *Impeached* by Compliance with it, they ought to be had in great *Esteem and Reverence* by those whose Education and Conversation has given them in these Causes a greater and *advantageous Latitude*. And if all such, who (*any Oath of Supremacy and Submission in Point of Compliance notwithstanding*) could be glad of a new Reformation as to the Legislature and Supremacy in Matters of Ecclesiastical Right and Power, must be thought favourable and inclinable to Puritanism and Presbyterianism, it is greatly to be fear'd that their Numbers and Characters are greater than it is for the Interest of the Church of *England* that they should be : And if the Bishops were not Deposable but by their Cler-

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gy and People, nor the Clergy but by Bishops, nor any Civil Account of Oaths, &c. in nice Cases concern'd in their Church-station, the Dignity and Safety of both Church and State might be equally and indeed better promoted than now It is.

I shall conclude my Remarks upon this first Principal Opinion with Three Determining and Decisive Observations.

- §. 14. I. The Author of the *RIGHTS*, impious and detested however, has with full Evidence of Reason and Truth ascrib'd to the Church all necessary Power in Itself as a Community and Society; the same in a general Sense that belongs to every distinct and Independent Family in a Parish, and indeed to every Corporation, Foundation, or Petty Club in a Coffee-house. He plays the Magistrate against the Clergy, who are in his Belief the very Origin and Source of all Evil; but he gives his best Respects and Services to the Sovereignty of the People: And several valuable Passages might be cited from him, ascribing to the Church (the Body of the Faithful exclusive of the Clergy) as a Society all necessary Power to preserve and reform Itself; a Power of Judging in Matters of Faith, of Chusing and Deposing their own Officers, of Ordering whatever is peculiar and distinguishing in their External Polity; because when Christ instituted his Church, he did by such his Commission endow It with all necessary and sufficient Powers for Its own Use and End; or rather this Power could not but in Fact devolve upon It,

It, by the natural Law and Right of voluntary Society. *He has indeed given a very ill turn to the few Reasonings of this Kind which are true and just*, and he affects a false Notion and Definition of the Church; but he may be quoted as a very good Authority to prove the Church, in his Sense, to be a *Society distinct from the State and Independent on It*. He would prove the Church of *England* to be founded in the Civil Legislature and Regal Supremacy, but he ascribes a different Foundation and different Powers to the Church, the Body of faithful People.

II. It is very improper to form our Judgment in these Matters, and to fetch Authority for the Supremacy from *what was allowed to the first Christian Emperours; from what was done in King Henry VIII's, King Edward VI's, and Queen Elizabeth's Time; or from what Archbishop Laud might write and believe on this Article*. No Case whatever that has been so often determined, and by so great Authorities, can, upon a just Pretence of Circumstances rendring former Views defective, demand a Re-hearing and Supervising with so much Cause and Reason, as this Independence of the Church on the State. If we lay aside all Authorities in this Argument taken from the *three critical Circumstances of Time* now mention'd, and try this Point not from what was done and declared in those Turns and Changes, but from what Judgment of the Supremacy Use, Experience, and more sedate Thoughts have inclin'd Men to have, the Independence of the Church will appear in a much fairer

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Light than commonly it doth. Nor can any Man equitably refuse this our just Demand of Throwing aside all these Authorities in the Case : For to consider this in the first Instance ; How little doth *Constantin's Calling the Council and bearing their Charges* answer to the Law of our Supremacy over an *English Convocation* ? Doth his humble and pious Compliment to the Bishops in Council, *God has made You Priests, and hath given You Power to judge me, You are as Gods to me,* favour at all of Supremacy, which was then at most but in *Embrio*, and is well grown since ? This was long before that of *Valentinian*, quoted by His Lordship page 39, *That it was not Lawful for him who with the People was in Subjection, to intermeddle with those Affairs, and to judge between Bishops :* And in these Expressions of the one Emperour and the other, I do not more admire the Humility and Piety, than I approve the Reason and Justice. How glad were the poor Bishops of a Christian Emperour ! How easily might the Hope of Worldly Advantages make them forget the Rights of the Church ! How closely did they from Time to Time besiege the Emperors with utmost Address and Importunity in Causes of private Ambition and Contention ? How little did they foresee the future Use of those Precedents which they set ? And upon the whole, How improper is it to determin the Question of Supremacy and Independence as it now stands by their *Judgments* ; much more so to do it by any *Facts* in their Example, the proper Nature and Circumstances of which *Facts* we cannot comprehend ? But we can better understand
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the Grounds and Circumstances of Things in King *Henry VIII's*, King *Edward VI's*, and Queen *Elizabeth's* Time, and what were the governing Views in all their Acts. And the Author of the *Rights* has sufficiently told us to what a Degree they carried this Point: If any Man in Reading his *Preface* can approve and vindicate the Regal or Parliamentary Supremacy in and over all the most Spiritual Claims and Acts there asserted, and doth not see Cause for a Revival and new Reformation in Matters of Ecclesiastical Right and Discipline, I cannot imagin myself capable by any the most convincing Argument, or happy Force of Expression, to set such a Man's Mind right: Nor will I give myself the Liberty and Freedom to make the proper Reflections upon the History of those Reigns in these Respects; every Man of the least Reading may do it for himself, and several worthy Persons have said enough to that Purpose. As to Archbishop *Laud*, * his general and known Character would render him little suspected of any partial and undue Regard to the Supremacy of the State over the Church, if the History of his unhappy Times did not fully inform us how necessary it was for him to take Shelter under the Royal Wings, and to make his own Advantage of a Personal Supremacy in the King. And it must be confessed, That the Church of *England* in its National Concerns being evidently (as the *Rights* saith) a Creature of the Civil State and Power, the True and Essential Rights of a *Catholick Church of Christ* in the Nation

* See *Rights*,
preface p. 49.

Preface p. 4.

have been little regarded or apprehended by very Great and Learned Men.

§. 16. III. Christian Princes may be *Custodes utriusq; Tabulæ*, and Guardians of the Rights of the Church, without a proper Supremacy over it; and Bishops with their Clergy may be in a Dependence on the State as to the Exercise of their Functions in particular Districts, and yet retain and exercise Spiritual Powers consequent on their Functions independent on the State. Godly Princes will promote Religion and Reformation, and they have a manifold Power and just Authority therein without becoming *Priests*, or the *Fountain of all Power* exercis'd and administred in their Kingdom: And a Subordination of Bishops and Priests to the Civil Power in the Exercise of their Sacred Functions in particular Districts, (tho' the Right of this Case by the Confusion of Times may be much altered from what it was in the Beginning and ought to be still) doth not destroy the Exercise of inherent Independent Powers consequent upon their Function. Tho' a King be chosen by the *People*, inaugurated by the *Bishop*, has *Set Dominions* and *Prerogatives* annex'd which he cannot alienate from the Crown and Nation, of which the *Parliament* are Guardians; yet are the Supream Powers of God, and the *Jus Regium* is not in the People. A Magistrate is chosen by the Corporation, and with It has Power to make Bye-laws, which are no otherwise subject to the Crown than as their Charter itself is so. Bishops have formerly been chosen, at least
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in some Places, by the People over whom they were Ordained, and their Spiritual Relation to such a People depended on a voluntary Choice ; and they in whom it is to chuse must have a Power, upon just Cause, to refuse and depose ; and yet the *Powers consequent upon such a Relation were Inherent and Independent in their Person or Office.* All Mixture of Civil and Ecclesiastical Power will not prove a Supremacy in the State, or destroy the true Independence of the Church. The King or Civil Power may punish a Malefactor for Blasphemy or other Crime, and the Church by Excommunication may first declare and inflict the Wrath of God upon the same Person for the same Fact ; and both act by such a different Authority, as necessarily speaks a distinct Society and independent Power in each, exercising very different Acts of Government. I cannot but pass this Judgment upon the whole of this Dispute, That this Question of the Rights and Power of the Church in its Bishops and Clergy, seems not to arise from any good Reason or Argument alledged, but to be founded purely in a Suspicion and Jealousie, that if this was freely allow'd the Church would in time assume a Supremacy over the State : That the *RIGHTS* should blow up this Jealousie is no Wonder, but that *Christian Kings should be jealous of suffering any in these Things to have a greater Authority than Themselves,* and that Bishops of the Catholick Church should countenance and encourage them herein, is very strange.

§. 17. Another Opinion *which has been reviv'd of late for the Advancing the Honour of the Clergy*, and as His Lordship judgeth, *with as little Foundation, and as little Probability of Success as the former*, is that of their being appointed to offer a proper Sacrifice in the Sacrament of the Eucharist. I shall not historically discuss the Time in which this Opinion is suppos'd to have lain *Dormant*, and when it began to *Revive*; my Design being only, as I can, to state the Reason and Truth of any Matter proposed. *Ibidem.* That the *Priests of the Romish Communion* should pretend to this Power, is no Wonder at all; but it is pretty new, and somewhat unaccountable, that the *Presbyters of a Reformed Church* should lay Claim to it. His Lordship's Expression is Consonant to his Principle in Rejecting the Title of *Priest* when He excludes the *Christian Sacrifice*; for if it be but a *Lay Priest*, he must offer a Sacrifice; much more they who stand and minister before the Lord in his Name, as his peculiar Servants, Domesticks, Attendants, to whom he has entrusted the Service of his Temple. No Protestant will pretend to vie Titles or Power with the *Romish Priests*, who by their Signs, Lying Wonders, Shams, &c. out-do all the *Simplicity* of their Predecessors the *Priests in Satan's Kingdom*: But it is hoped, That the Title of *Minister of Christ* doth not signifie less than that of *Priests* under the Law, but doth Eminently and with Superior Honour contain whatever Divine Character was in Them, and whatever Sacred Ministration and Service did belong to Them. And the infamous Author of the *Rights* having exceeded

Rom. 12. 1.
1 Peter 2. 5.

ceeded all his other Impieties in Treating the Lord's Supper with Buffooneries, as a bare Memorial, which Every Man may Take for himself and Give to his Neighbour at Common Meals; it is the more necessary that the Christian Priesthood in this Holy Service be asserted.

His Lordship takes Notice of Three Authors of §. 18. Fame among us, who have asserted this Notion of the Christian Sacrifice. *The first Writer of the Reformed Churches that ever published this Doctrin* was Dr. Heylin, answer'd by the Learned Dr. Hakewill. And His Lordship being willing in this as in the former Case to appeal to Archbishop Laud Dr. Heylin's Patron, a Person unexceptionable to those who seek to advance the Honour of the Church and Clergy, hath taken great Pains to prove that the Archbishop had another Sense of this Matter; at least wise when he wrote his Conference with Fisher the Jesuit: And I shall interest myself and this Discourse in the Sentiments of the Archbishop no otherwise than as he is quoted by His Lordship: His Grace saith, *That as Christ offered up Himself once for all, a full and all-sufficient Sacrifice, for the Sins of the whole World; so did he institute and command a Memory of this Sacrifice in a Sacrament, even till his Coming again: Nor may this Instituted Memory therefore be said to imply a proper Sacrifice, because the Archbishop afterwards speaks of Three Sacrifices offered in the Eucharist, one by the Priest, i.e. the Commemorative Sacrifice of Christ's Death, represented in Bread broken and Wine poured out; another by the* Priest.

Page 13.

Priest and People jointly, i.e. the Sacrifice of Praise and Thanksgiving; and the Third of every particular Man for himself only, i.e. the Sacrifice of every Man's Soul and Body to God's Service. His Lordship takes it to be so Evident that these two last cannot be counted in any Case proper Sacrifices, that this Enumeration of Sacrifices in the Eucharist, without putting any Distinction between them, is a plain Sign he thought none of them to be proper. And as to the Commemorative Sacrifice in particular, besides that the Notes which he adds to It shew plainly that he did not think that a proper Sacrifice. His Lordship farther observes, that the very Word is taken from Thomas Aquinas, who is brought in explaining it thus, Sacramentum hoc est Commemorative Dominice Passionis quæ fuit verum Sacrificium, & sic nominatur Sacrificium: And then he quotes some of our first Reformers to the same Effect, particularly Archbishop Cranmer, who cites Words out of Peter Lombard more express if possible than those of Thomas Aquinas, viz. That which is Offered and Consecrated by the Priest is called a Sacrifice and Oblation, because it is a Memory and Representation of the true Sacrifice and holy Oblation made on the Altar of the Cross: The Thing which is done at God's Board is a Sacrifice, and so is that also which was made upon the Cross, but not after one Manner of Understanding; for this was the Thing indeed, and that is the Commemoration of the Thing. So plain it is that Archbishop Laud did not think this Commemorative Sacrifice to be a proper Sacrifice, no otherwise than as it justly bears the Name of what it represents; and I am not sensible that any Moderns who have of late revived

revived this Opinion of the *Christian Sacrifice*, have any other Sense of this Matter.

The Learned Mr. Mede's Discourse upon this Subject §. 19. was made about the same Time, (with that of Dr. Heylin) if not a little before it, but publisht since; and the deserved Authority of that Excellent Man has given the greatest Countenance to the Modern Advancers of that Opinion. It is sure, That neither He, nor any other Man's single Authority, is sufficient to add a Doctrin to the Church not yet received in It; nor of Weight enough to be opposed to the whole Course of our Divines, who have written another Way. Our Divines may have taken the Word from some one Leading Man; may have had an excessive Fear of a contrary Extream; and so the whole Course of them be of no great Authority, nor of so much Weight as one single Man who has more throly and impartially considered this Matter. His Performance in this Argument must be examined; and this His Lordship judgeth to be so weak, That one cannot help thinking that Good Man to have been too much affected with the Weakness of some Men at that Time in scrupling innocent Expressions; and from a great Reverence to the Divine Institution of the Sacrament to have been so fond of a Notion which he thought would procure more Honour to It, as to think there was more Force in his Argument than really was. The Account which His Lordship gives of Mr. Mede's Discourse on this Subject is this; "He owns the Resolution of this Point to depend altogether on the true Definition of a Sacrifice, as that is distinguished from all other Offerings; and when he has

Page 15.

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duly

duly pursued his Enquiry after that Distinction in the Sacred Writings of the Old Testament, and found that *only Burnt-offerings, Sin-offerings, Trespass-offerings, and Peace-offerings, were Sacrifices properly so called*; and that these were the Offerings of Beasts, of Beeves, of Sheep, of Goats, of Fowls, and that they were slain and offered by Fire and Incense; he resolves after this, That the Ratio or Essence of a Sacrifice doth not depend either upon the Matter offered, or the Manner of offering; tho' this was the very Means by which he distinguished Sacrifices properly so called, from others which were not so." In Reading this I could not but suspect that Mr. Mede doth not make the Ratio or Essence and true Definition of a Sacrifice properly so call'd to depend either on the Matter offered, suppose of Beasts, &c. or on the Manner of offering, *i. e.* by Fire and Incense; but that in his Notion different Materials offered in a different Manner, may make as real and proper a Sacrifice as any of those which were offered of Old; and that some *Formalis Ratio* or general Respect in which Things otherwise differing do agree, is the Essence and true Definition of a proper Sacrifice. However, it was necessary to consult Mr. Mede himself; and in his Discourse the Reader may find this Account of the Essence of a Sacrifice: That it must consist of material Elements, some Creature consecrated to God by which his Worshippers do eat and drink in his Presence, at his Table, and from his Altar: That these Elements must be the great instituted Sign and Token of the Covenant between God and his People, by

The Christi-
an Sacrifice,
§. 4 and 5.

Partaking in which the Offerer and Receiver is as by a Pledge certified of his Acceptation with God and holy Fellowship with him in a State of Reconciliation and Peace: That this whole Solemnity and sacred Action is a Sacrifice, the Prayers, Praises, and Persons offering and partaking, being hereby consecrated unto God. Mr. Mede proves at large, That this being the General and True Notion of a Sacrifice, Christians have and perform in the Sacrament of the Eucharist all that Solemnity and Mystery which was exprest in the Sacrifices under the Law, tho' we offer not Beasts slain by Fire and Incense; like as Circumcision and the Passover perform'd by Effusion of Blood were *Sacraments* of the Old Testament, and Baptism and the Lord's Supper are without Blood Sacraments in the New Testament. *The several Authorities which Mr. Mede produceth from the Antient Church, can (as His Lordship saith) add little Strength to his Opinion after the Confession he makes in the Beginning of his Discourse, That for the Christian Sacrifice, what the Antient Church understood thereby, what and wherein the Nature of this Sacrifice consisted, is a Point beyond Belief obscure, intricate, and perplex.* But Mr. Mede asserting in the very next Sentence all this Obscurity and Perplexity to arise from the Abuses introduc'd in the Romish Communion, and from contrary Notions on that occasion received and prevailing among Protestants, and not from any such Intricacy in the Thing Itself, or in the Writings of the *Fathers* to an unprejudiced Person, this Confession doth not invalidate the Authorities by him produc'd.

The Christian Sacrifice, page 473.

§. 20. *If Mr. Mede has not cleared this Matter, no more has Mr. Thorndike, who wrote afterwards with the same Inclination to have the Sacrament of the Eucharist accounted a Sacrifice. But, whatever else Mr. Thorndike may say, he is clear in this, That the Eucharist no way bears the Name of a Sacrifice, but as it is the same with the Sacrifice of Christ upon the Cross; not the same repeated, but as it is said to be that of which it is a Sacrament, the Sacrifice of Christ crucified mystically, and as in a Sacrament represented to and feasted upon by the People; and that in as much as the Body and Blood of Christ is in the Eucharist, in so much it is the Sacrifice of Christ upon the Cross, and no more. His Lordship approves these clear Assertions and easie Demands, and is positive that they are not agreeable to the modern Contenders for a Sacrifice, nor will give them any Assistance. And to be sure no Protestant who understands himself will desire more; nothing more can be asserted, without making the Commemorative and Representative Sacrifice to be really and properly the same with the Sacrifice of the Cross; which is a plain Contradiction in Itself, and would be very unaccountable in any Protestant Writer. If Mr. Thorndike's Explication doth not prove or assert the Christian Sacrifice, what he saith from the Fathers will be of as little Use: For he says their most ordinary Language is to call the Celebrating of the Eucharist the Death and Passion of our Lord, which it commemorates, and the Sacrifice of his Cross: The Addition of Words which they use, of Reasonable, Commemorative, Unbloody, Symbolical, Sign, Image, are a necessary Evidence of an Abatement*

batement of the Property of the Words according to their Meaning: He particularizeth in St. Chrysostom, *We make always the same Sacrifice, or rather the Remembrance of a Sacrifice.* This is a true Account of the Opinion of the Fathers, of great Use against the Papists; but doth not at all answer His Lordship's Design, it being perfectly agreeable to those against whom His Lordship produceth It.

His Lordship did not think fit to mention any of the more Modern Advancers of this Opinion; and therefore I must do Justice to another and a late Writer on this Subject, who if he bears not a great Name and Authority, yet doth he highly deserve it; I mean the Grave, Judicious, and Excellent Mr. Scandret; who in a small Tract has, with admirable Sense and Solidity, prov'd *Sacrifice* to be *the great Worship of God* in the Catholick Church in all Ages; in the Church of the First-born before the Law, in the Church of *Israel* under the Law, and in the Christian Church. I do not pretend to justify all that he has said on this Argument, I think he has run several Points too *high*; particularly in affecting a Pomp and Shew of that Distinction which was in the Temple of Old, between the Altar and Holiest of All; in asserting a direct Act of *Oblation* and *Sacrifice* first in the *Presenting*, and then in the Breaking the Bread and Pouring out the Wine: This Mystery is best preserved in its own Simplicity. Also upon a common Presumption of the Sacrifices under the Law making real Expiation and Attonement for Sin, which.

§. 21.

Sacrifice the Divine Service from the Covenant of Grace to the Consummation of the mystery of Man his Redemption.

- which they could do in themselves and properly speaking only as to Legal Pollutions, but availed not to purge the Conscience; upon this common Presumption he asserts an Expiatory, Propitiatory, Attoning Sacrificial Vertue in the Lord's Supper; of
- * P. 475. *which Mr. Mede only saith, That Christ * is here commemorated and received by us, for the same End for which he was given and suffered for us; that we thro' him receiving the Forgiveness of our Sins, God our Father might accept our Service and hear our Prayers we make unto him.*
- † P. 496. *That † as Christ, by Presenting his Death and Satisfaction to his Father, continually intercedes for us in Heaven; so the Church on Earth semblably approaches the Throne of Grace, by Representing Christ unto his Father in these holy*
- || P. 500. *Mysteries of his Death and Passion. This || Representation of the Body and Blood of Christ being ordained as a Memorial to put God in mind of his Covenant, is used as a Rite whereby to find Grace and Favour with God; and that this Christian Sacrifice is a more effectual Sign and Pledge of our Amity and Friendship with God, than the Sacrifices of Old were or could be. But notwithstanding these or any other just Objections, Mr. Scandret's little Book is very Valuable, and the whole of his Management is an useful Counterbalance to the contrary Extream in the Notions and Writings of more popular Authors.*

§. 22. To conclude this Argument: It is most certain, That strictly speaking there never was, nor can be, but one real proper Sacrifice once offered, never repeated, by which Sin was put away, and by which all

all who are sanctified are for ever perfected ; all other Sacrifice whatever either was a Shadow and Figure of the future Sacrifice of the Cross, or else is a more lively Image of It as exhibited and offered. It is only in Comparison with the Sacrifices of the Old Testament, which are allowed to have been properly such, and in the Unity of that Great Sacrifice which it commemorates and represents, that the Holy Sacrament is called our *Christian Sacrifice*, and that *Christian Priests claim a Power of Offering a real and proper Sacrifice* ; that so our Worship under the Gospel, *as well as the Orders of the Priesthood*, and much rather than a pretended Regal Supremacy, may correspond to the *Jewish Platform* ; or rather, may maintain the Unity of Worship with the Church of God in all Ages : Yea, that the Solemnity of our Christian Worship may be known in a *Way of Eminence* to comprehend all former Mysteries and sacred Symbols. What is ascrib'd to the Person of our Saviour in Respect to God his Father, the same may be said of this our spiritual Worship, That it is the express Image of his Person, and Brightness of his Glory, who having purg'd away our Sins by the Sacrifice of himself, is now making Intercession in Heaven. And tho' private or other publick Prayers and Praise be not absolutely and in themselves a Sacrifice, but in a metaphorical and improper Sense ; yet these being offered, as also our whole Persons Souls and Body consecrated to God, in and upon this Representation of the Sacrifice of the Cross, are proper and real Sacrifices ; and to the *Three Sacrifices mentioned*

See also De-
fence of the
Vindication
of the depri-
ved Bishops,
§. 48.

by Archbishop Laud without any Distinction put between them, are not in this Case improper (as His Lordship supposeth) but real Sacrifices, according to the Antient and True Definition of a Sacrifice, as Mr. Mede has proved by clear Testimonies. The Jewish Sacrifices themselves were not then thought available as they consisted in shedding the Blood of Brutes, but as they represented the Archetypal Sacrifice of the *Abos*; and as covenanting Symbols gave the Communicants a Right to what was represented by them. Nor is there any real Intricacy or Obscurity in the Language of the Fathers, when they call the whole Action relating to the Eucharist our *Christian Sacrifice*. I shall wave the Dispute whether this be the Doctrin of the Church of *England*, since all who have a real Honour for this Church do either believe its Principles to be *Catholick*, or else wish they were more plainly so: Nor do I know that the Church of *England* doth claim or pretend a Right to depart from the Doctrin or Language of the Antient Church, but the Contrary.

§. 23. The Third Opinion which has been stretched by some of late, for the Honour of the Clergy as they pretend, or design, is that of Sacerdotal Absolution; which has been advanced in such a manner, as if there was a Power of Forgiving Sins properly speaking lodged in the Church or the Priests and Ministers of it: Whereas the current Doctrin of our most Eminent Divines has all along treated that Power with great Abatements of the Strictness and Propriety of it. Who they are whom His Lordships means who

Page 19.

who claim a *Proper and Immediate Power* to forgive Sins, and *this without that Disposition which by the Gospel* Page 20. *qualifieth a Man for It, purely by their Act producing It, so as that no Sin after Baptism can obtain Remission but by the Church,* (for so His Lordship explains the Assertion in his Opposition to it) I cannot so much as guess. When our Saviour said to the Paralytick, *Thy Sins are forgiven*; the Jews not believing him to be God were justly offended, and replied, *Who can forgive Sins but God only?* All Acts of this Kind which the malicious Diligence of the Rights has produced run in this Form, *By Vertue of Power and Authority received from Christ I absolve*; which doth not express an immediate Power of Forgiving Sin: Nor can any Priests or Ministers of Christ, without expressly disclaiming the Commission by which they act, pretend to any other than a Ministerial and Declarative Authority and Power as *Substitutes in Christ's Place and Stead*, and according to the Laws and Rules by him prescrib'd. That which His Lordship professeth in this Matter is, *That the Gospel preached doth direct Men how to obtain the Remission of Sin, which is had by the Gospel antecedent to the Church; that Ministers of Christ preaching the Word of Reconciliation, do in Christ's Stead pray and beseech Men to be reconciled to God; that the ordinary Means of Conveying this Grace after Baptism, is the Administration of the Eucharist, without any verbal Consent and Approbation of Priests.* Thus far all agree, and a Man may as safely as smoothly take the Current Stream of Doctrin in these Parts of the Question, bating the exclusive Clause: But it is also pleaded by
I , others,

On the Creed,
I believe the
Remission of
Sins; i.e. gi-
ven by the
Ministry of
the Church.

Page 21.

origen in Ora-
Domine Re-
misse nobis de-
bita nostra.

others, who rather chuse to search out Truth than to follow the *Common Track*, That the Ministers of Christ not only declare the Doctrin of Repentance and Remission in Preaching; not only obfignate this Promise and Grace in the Eucharist to the whole Body of the Faithful Communicating; but also have an *Act and Power of Judgment* committed to them, concerning those in whom *the Disposition which by the Gospel qualifieth* is found, and to whom the Use of the Sacrament and the Benefit of Forgiveness therein doth belong. This Doctor *Barrow* and many other Learned Men assert among the Primitive Powers consequent on the sacred Function; and this seems to have been the Original Design of *Confirmation*: And if the *Pious and Learned Mr. Dodwell* means no more than this, by *making Remission of Sins to depend on the Sacraments, and Sacraments on the Priest, and that our Duty of Receiving the Elements in order to Remission, doth, in the very Design of Christ's Institution, oblige us to depend on the Consent of the Priests, who alone can give us those Elements*; he seems to me to say nothing but what is extremely agreeable to the Laws of Society, the express Terms of the Gospel, and to Ecclesiastical Truth and Authority. There are others who do not make the whole Right of Christians to the Benefit of the Eucharist to depend (not as of Self-will but in Subordination to known Laws and Rules) on the Consent and Approbation of Priests, like as the *Examining and Accepting the Beasts brought for Sacrifice* did by Office and Duty belong to the High Priest under the Law: (Nor is this Comparison dishonourable

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or reflecting, if we consult *Psal. cx. 3. Rom. xv. 16.* * Bochart. Op. Tom. 1. Pag. 906. and the Force of the Original Text.) There are those who do not thus far consult either the Mind of Christ or the Honour of the Clergy in the Use of the Sacraments, who yet agreeably to the Liturgy believe that Ministers have an *Inherent Power* for the Comfort of the *Penitent* to assure them of the Forgiveness of their Sins : And however this Assurance is not infallible, but the seeming Penitent may return to his evil Way, *and in case of Clave Errante there is no Remission by the Keys* ; yet has this Exercise of the Authority and Power of Priests in GOD's Name, in Times when Religion was more apparent than now it is, and without Auricular or any other Confession but only Repentance profess'd, been had in just Veneration. There are others who confine the *Use of the Keys* to particular and extraordinary Occasions of Offence and Scandal ; the Offender being by *Them* first excluded from the Grace of the Sacrament and Communion of the Church, is by *Them* upon Repentance, Restitution, or other Acts of Penance and Discipline perform'd, restored, the Church interceding with God for the Pardon of the Returning Sinner, and so giving him Peace. And this is the *humblest Way*, as I think, in which any who favour of Antiquity and an Ecclesiastical Spirit, do explain this Point. The Passage of *Firmilianus* to St. Cyprian speaks no less, if not more ; *Lapsi quoq; Fratribus per Pœnitentiam Medela quærat : Non quasi a nobis Remissionem Peccatorum consequantur, sed ut per nos ad Intelligentiam delictorum suorum convertantur, & Do-*

* Mr. Thorndike's Words, quoted by his Lordship.

mino plenius satisfacere cogantur. Thus the Church by the Preaching of the Gospel directs * Men how to obtain the Remission of Sins, and by Its Authority constraineth them to use the Means which it prescribeth. *Pœnitentia* was then understood to signifie something else besides the Disposition of Repentance, by which alone without the Church and Keyes, Forgiveness may in proper Cases be had and held; and *dare Pœnitentiam* was then reckon'd in the Sense intended an Act of the Church, and a Grace and Favour to be obtained from It. Ministers had Reason and Occasion then to let the People know, that Forgiveness of Sins did not absolutely or immediately proceed from them, but was the Grace of Christ administred by them to the truly Penitent, without which Disposition all their Acts conferred no Benefit. Then *Deo satisfacere* was with all Humility to submit to the Penance of the Church in those various Orders and Rules of Discipline for the Restoring those who had fallen, which we know in former Times to have been severe and excessive, and to have caused many Schisms, when some Bishops would be more easie and gentle in the Terms of Restoration than others. His Lordship's Reference to this Passage of *Firmilianus* in his Quotation from Mr. Thorndike, obliged me to make these Remarks upon it: And Mr. Thorndike, whom His Lordship quotes with Approbation, speaks of the Use of the Keys, which I suppose * intends something more than the common and promiscuous Administration of the Eucharist, as the Ordinary Means of Forgiveness in the Church; the Ministry of the Church hereby

* See Mat. 16.
19. Mat. 18.
17, 18. John
20. 24.

hereby tending the Penitent Sinner a reasonable Presumption of attaining Reconcilement with God by the Means of it ; which Means he who refuseth, in such ordinary Cases where it may be had, can according to the just Laws of Christianity have no Cause to promise himself Pardon without It. I know no Protestant Writer who doth in any higher Sense plead for Sacerdotal Absolution, or a Power of Forgiving Sins properly speaking lodged in the Church or the Priests and Ministers of It, unless it be Mr. Dodwell, for whose Sense of Things I have before accounted ; nor do I suspect there is any. The Passage of *Isidore Pleusiota* quoted by His Lordship, (which I shall take the Liberty somewhat to vary from His Lordship's Translation) speaks more than His Lordship seems to me to intend by it: *Zozimus a Presbyter having abused his Power in the Gospel by Absolving a perjured Person, who had made no Restitution to him who had suffered by his Oath ; Isidore tells him, and very truly, he wrested the Scriptures that spoke of Binding and Loosing, the Meaning of which is, That in Cases of Wrong when Restitution was made, the Priest praying and fasting with those who had offended, should obtain of God their Pardon and Reconciliation ; for they are Administrators, not equal Sharers (with God) in this Power ; Ambassadors, not (Sovereign or Supream) Judges ; Mediators, not Kings. To pretend any higher Power than this, would be for a Man not to be in the Place of Christ by delegated Power, but to place himself in the Throne of God in Co-partnership with him ; which is the Blasphemous Character of Antichrist : But that Priests or Ministers*
with

*Vide Constant.
in Lexic. Gr...
Πρόσβεις εν
ἐρήνῃ Κηρύξ
εν πολέμῳ.*

with Respect to this their *Power in the Gospel* are, in an inferiour and subordinate Sense, *Judges*, is the constant Language of Antiquity. I shall mention two known and useful Passages to this Purpose, one of *Tertullian*, the other of *Cyprian*: *Tertullian* in his *Cap. 38. Apology* gives this Account of the Discipline of the Church; *Certe Fidem sanctis Verbis pascimus; Spem erigimus, Fiduciam figimus, Disciplinam Præceptorum nihilominus Inculcationibus densamus; ibidem etiam Exhortationes, Castigationes, & Censura Divina; nam & judicatur magno cum Pondere, ut apud certos de Dei Conspectu; summumq; futuri Judicij Præ-judicium est, &c.* *Cyprian* saith that Heresies and Schisms arise from hence, *Ep. 59. Corn. Quod Sacerdoti Dei non obtemperatur, nec Unus in Ecclesia ad Tempus Sacerdos, & ad Tempus Judex vice Christi, cogitatur; cui si secundum Magisteria Divina obtemperaret Fraternitas universa--*. If this be not the Power of Forgiving Sins lodged in the Church, or the Priests and Ministers of it, which His Lordship opposeth (as I cannot tell how to persuade myself that it is) I must own I have no Notion at all of the Question in hand. His Lordship concludes what he has to say on this Head, with that of the Apostle *Paul 2 Cor. v. 18, 20.* before quoted, as containing the plainest Description of our true Authority in this Matter, and least liable to be misunderstood: And if His Lordship understands hereby, that Ministers as *Ambassadors of Christ* do not only in the Preaching of the Gospel pray and beseech Men to be reconciled unto God, but have also a Commission and Power in the Gospel by external Acts of positive Institution to reconcile Men unto God, I shall fully

fully agree with him in this Particular. It is plain from this *Epistle*, Chap. ii. 10. That the Apostle had this Sense of the Commission with which he was entrusted by Christ: And if Bishops are now the *Successors of the Apostles* in their Commission and Power, and *Ambassadors of Christ*, of which His Lordship makes no doubt, then have they Power to *forgive Men in the Person of CHRIST*. I may not here omit a noble Strain of Saint *Chrysostome's* Rhetorick:

“ God has invested the Priest with such Authority πρὸς ἐπισκοπὴν
 “ as he never conferr'd on Angels or Archangels;
 “ for to which of the Angels did he say at any time,
 “ whatsoever ye bind on Earth is bound in Heaven,
 “ and whose Sins ye remit they are remitted? For
 “ as the Father gave Power to the Son to remit Sins,
 “ so the Son of God has committed the same Power
 “ to his Ministers on Earth.

I have no more to say to His Lordship on this Head: But having frequently as occasion required in the Discourse reflected on the Author of *The RIGHTS*, and he having not only in his *Preface* asserted the Power of Excommunication and Inflicting Spiritual Censures by the Constitution of the Church of *England* to be lodg'd in the *Supremacy*, but also in his Book employ'd many Arguments against this Power in the *Ministers of Christ's Kingdom*; I will take what he has said to this Purpose under more close and full Examination. His grand Mistake in his whole Book is very gross and palpable, That because the Magistrate has the Power of Life
and.

Cap. 1. §. 9.
& *passim*.

Dialogue be-
tween *Timo-*
thy and *Phila-*
Observat. on
the Ecclesia-
stical Jurisdi-
ction of the
Kings of *Eng.*
Cap. 1. §. 10.

and Death upon just Cause, (a most odious though possible Supposition) and thereby of Depriving the Church of a Bishop, or any other Member of Its Communion, he must also have a Power of Depriving Bishops of their Sees, and Excommunicating Members out of the Church. This Sophism is so obvious, that a Man can hardly chuse any Similitude or Instance which will not evidently expose the Absurdity of this Consequence; and the most extravagant Tyranny and Arbitrary Power doth naturally and necessarily follow upon that Principle, in an absolute Confusion of all Rights and Liberties in common among Men. The like Remark is to be made upon the Priests depriving, by Excommunication, Persons of the Exercise of any Profession, Calling, Employ, or Trade whatsoever, (and depriving the Magistrate of his Right herein) since none can exercise them who is to be shunn'd by all People: This is in meer *Gayety* to embroil Church and State, since this Consequence doth not imply any express Claim of Power in that Kind; and if the Power of Excommunication be indeed given them from Christ, which must be fairly considered, all who profess Christianity will acknowledge, That Ministers as *Servants of Christ*, no more than the *Servants of any other Lord*, are not accountable to any others for their Acts, and much less for the indirect Consequences of their Acts done by express and competent Authority. His popular Humour and Spirit is much provok'd at this Punishment of *being shunn'd by all*; but he should in this Case argue not against any Custom
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or Practice which may exceed the Rule, but against the Law and Institution of Christ Himself saying, *Let him be to thee as an Heathen Man, or a Publican;* with whom the *Jews* would have no Commerce or free Converse: He should have farther considered, That this Sentence justly pronounced, (and it is not to be supposed that the Priests always err in their Judgments, especially not when they have the *Many concurring) doth speak such a Man upon whom it falls to be a publik *Pest*, whose Breath is Infectious, and whom all who have their Wits and Senses, in Matters of this Kind, will shun for fear of Contagion, *without being told what Company they shall keep.* And if the Church as a Body hath a Power in the natural Right of a voluntary Society to admit and exclude Members, (which is his Opinion) how much rather shall it be believ'd that Jesus Christ has given such Power with special Authority to his Ministers in the Church? Many other such Random Shots he loseth against this Doctrin; but in his 2^d Chapter he tries all his Art and Strength of Reasoning against it, and pretends to answer the Distinctions made or assign'd between this Spiritual Power and a Civil Authority: *The Clergy's assuming to themselves a Jurisdiction, and terming it Internal in Contradistinction to the Magistrate's which they call External, is only amusing the People with Words----* For the Church being a visible Society, the Actions of the Governours of It, when they use a Coercive Power, must be as Visible and External as any relating to the Common-wealth: Is not Excommunication as external as Outlawry? This is true, and no Man e-

*Matthew 18.
18, 19. 2 Cor.
2. 6.

ver question'd it ; but tho' the Act is visible and external, and so is the Church and the Bible too, yet the Power is Internal, the Obligation and Terrour of It affecting the Soul and Conscience, and that not with a Dread of secular Punishment from the Magistrate, but with a Sense of the Condemnation and Judgment of God : Of this he could not but be aware, and makes this Reply to It, That this is to *destroy all Obligation to the Magistrate on the Account of Conscience, to whom Men must submit not for Fear only but for Conscience Sake ; or else it is an Usurpation upon the Prerogative of God himself, who alone has Power over the Conscience or Mind of Man, and who in this appoints none to be his Deputy or Vicegerent.* Ministers by the Word of God, and in his Authority, teach and command Men to be subject for Conscience Sake to the Magistrate, but his Power stands in the Sanction of secular Punishment affecting only the publick and visible State of Men in the Society ; and God has appointed his Deputies and Vicegerents, who not only *try to persuade by Reasons and Arguments,* but also have Power by the Word of God and the Use of the Keys in his Name over the *Mind, Understanding, and Conscience of Men.* This Punishment which the Clergy inflict, as he farther objects, is called *Spiritual* because tho' the Sentence is pronounced in this Life, yet Men chiefly find the Effects of It in the next ; to which he answers, *All Punishment is either Eternal or Temporal ; the first only belongs to God, no Man can have the Power to punish one eternally, or by any Actions of his cause God to do so.* This Sentence and Punishment is ordain'd to take place in
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this Life, subjecting the Soul and Conscience to internal Wrath and Terrour, so to bring the Sinner to Repentance, and to make publick Satisfaction to the Church for his Offence and Scandal : But in Case of obstinate Impenitence, It binds the miserable Offender over to the future Judgment of God, and the Punishment of the World to come. And God has obliged himself to Ratifie such Sentence and Punishment pronounced and inflicted according to the Laws and Rules by him in such Case prescribed. But herein neither God nor his Priest may be blamed, nor properly said to *Curse or Damn* any, but their own Actions ; *and therefore, as he saith, we need fear no Punishment hereafter on account of any Actions of the Priest, who cannot render a Man's Condition as to the next World worse than his own Actions, by which he must stand or fall, will make it ; much less have the Clergy a Power to deliver any over to Satan, or shut Heaven's Gates against him, when his Actions do not deserve it ; and when they do, they alone, not any of the Priests, do make him suffer.* Very true ; but the same is true of all other Law and Judgment: In case of Innocence a Man need fear neither Judge nor Jury. But if God has in Mercy erected a Tribunal and Court of Judicature in his Church, whether that Sinners may be brought by Repentance to escape the Wrath to come, or that the future Judgment by this solemn Anticipation of It may be the more sensibly apprehended by Men, as no Man can reasonably doubt who believes the Gospel ; in this Case Men may be made to know the Consequence of their Actions in a very different manner from that *putting one in Mind of*

his Duty, or telling him of his Faults, which a Lay may do as well as a Clergyman. This Declarative Act has a Judicial Power in it; and this is his last Objection, *In short, the Clergy with respect to the other World, can only have a declarative Power to assure that God will deal with them as they have or have not observed his Laws, which is no more than what they share in common with the rest of Mankind: If they have a greater Power than this, it must be Judicial; for where they cannot themselves judge, they can only declare the Judgment of another. If their's be then a Judicial Power, they can Save or Damn as they think fit, and God is bound to execute their Sentences Right or Wrong. What Power has any Judge but to declare the Judgment of the Law in the Queen's Authority? How can a Judicial Power authorize any to act as they think fit? God Himself neither condemns but by Law, and according to Men's Demerit; nor doth He absolve any but by Rule, according to the Law of Grace and of Faith. How can God be oblig'd to execute any Sentence right or wrong, when the declared Force and Power of this Judgment lies in this, that *It is the Lord's*, done in his Name and Authority? God has indeed said, *Whose Sins ye remit, they are remitted to them; and whosesoever Sins ye retain, they are retained: Verily I say unto you, whatsoever ye bind on Earth, shall be bound in Heaven; and whatsoever ye shall loose on Earth, shall be loosed in Heaven:* But none ever imagined or pretended that there was a competent Authority in Priests to oblige God, *Clave Errante*, to execute good Men whom they as they saw fit, and of their Will and Pleasure did condemn. This Author has made a serious Cause*

Cause and Argument of that, which in the Simplicity of all former Irreligion was only Matter of loose Wit and Reflection: He has oppos'd not only any particular Set of Priests, *those of the late Separation, and some who of late revive Old Primitive Notions*, but the *Whole Order*, and the *Commission* by which their Order is establisht and their *Powers* assign'd: Divines of *all Professions* are the same to him, so long as they claim Divine Rights, Independent Powers, to be Commissioned Ambassadors of Christ, Preaching the Gospel with more Authority than when private Christians exhort one another, and Ministerially declaring and pronouncing the Judgment of God, as subordinate Judges in Christ's Kingdom, by inflicting Spiritual Censures. The Fathers are of no higher, if not less Esteem with him than the Moderns; and I suppose he will take it as an Honour to be compared to any Antient Hereticks or Schismatics, who were, in an excepted Case only which confirms the general Rule of Discipline, for *Exhorting Men to Repentance, leaving them for Pardon to God who only can give it, without employing the Keys of the Kingdom of Heaven*. He has denied and, what in him is, overturn'd the whole State of Christ's Church and Kingdom in this and every other Christian Nation, and reduc'd all that *Authority and Power in Heaven and on Earth which Christ has receiv'd of his Father, and which he has committed to the Apostles and their Successors to the End of the World*, he has reduced this to the Common Law and Standard of Right and Power either of Civil Authority, or human popular Agreement and Consent. I pray God to give him Repentance, and to keep others from the Delusion.

*Ambrose de
penitent. de
Novatiano.*

§. 25. I return to His Lordship, who concludes his whole Discourse upon these Three Opinions and the Modern Advancers of them in this Manner ; *Our pretending to an Independent Power in Things within the Compass of human Authority, and a Right to offer Sacrifice properly speaking, and a Commission to forgive Sins directly and immediately, may and will weaken the Grounds and Occasions of the Reformation, and give our Adversaries of the Church of Rome, as well as others, great Advantage against us ; but can never, I am persuaded, advance the Interest of the Christian Religion in general, or of our Church in particular.* Some Men of acknowledg'd Learning and Piety are absolutely persuaded of the Contrary : Our Reformation had many other Grounds and Occasions, in which these Points are not concern'd, and by which It will still be justified, on which Side soever these are determin'd. In casting off the Pope's Supremacy, there was no Necessity or Reason to make the King Head of the Church ; the original Power and Institution in these Things should have been better consulted, and more regarded. In disowning the abominable Sacrifice of the Mass, there was no Ground or just Occasion to disclaim the *Christian Sacrifice* as the Fathers of the Antient Church had asserted It, and as It has been explain'd in this Discourse. In renouncing the Doctrin and Superstition of Dispensations, Indulgences, and an Arbitrary Power of Forgiving Sins claimed by the Pope and the Priests of his Communion, making themselves equal Sharers and Co-partners with God in this Power, or rather
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Lords over him; there was no Cause or Reason to abolish that *Power of Judgment* which our Lord has lodg'd in his Church, and particularly in the Priests the Ministers of It. There is no greater or juster Scandal and Offence which the Papists take at our Reformation and Communion, than what derives from hence; That we give to *Cæsar* not only the Things which are *Cæsar's*, but also the Things which are God's; That we have no Church, because we pretend not to have any *Priest, Sacrifice, or Sacerdotal Absolution*, agreeable to the constant Language and unanimous Consent of the Catholick Antient Church. What Hopes they have of one Day recovering their lost Interest among us, may with great Foundation and Probability be ascrib'd to these Grounds and Occasions. I wish all would so seriously consider, and wisely judge of this Matter as it requires.

*Bochart o.
Tom. 1. p.
994. de Ju-
re Regum.*

As to others who dissent from the National Church establish'd by Law, His Lordship is sensible that they assign this Civil Supremacy and Legal Establishment as a principal Ground and Reason of their Separation: And if their Prejudices on this Account were remov'd, it is probable they would more easily be brought to hearken to what is alledg'd from Reason, Scripture, and Antiquity, for the Government of the Church by Bishops, the Use of Liturgies, and decent Ceremonies in the Worship and Service of God: But all Arguments for these Things, with whatever Evidence and Strength they are managed, will signify little to promote Unity and Peace at Home so long as this Wall of Separation stands. They who make no

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Conscience of *Schismatizing* from Acts and Statutes of Parliament in Things concerning the Church and Kingdom of God, might shew themselves to be Men of Reason, Conscience, and Temper, and to seek Unity and Peace among their Fellow-subjects and Fellow-christians, if these Things in which they differ were adjusted and settled by a proper Authority. They commonly believe the Reformation, in Matters of the Right and Discipline of the Church, to have been defective: They cannot think fit to be determined by Canons made, and Rites appointed in those Times, when the Necessity of the present Occasion might justify many Things, which a greater Prudence in Consideration of ensuing Circumstances might alter. This has been often pleaded in their Behalf by Reverend Bishops, and others of great Worth in our Communion. They profess the Church of Christ to be a spiritual Society Distinct from, and Independent on the State, and which must be governed only by the Authority of Christ lodged in It, by which It was at first founded, and on which It always stands. Nor can I think that this their Plea and Claim can be justly over-ruled by any other Pretence of any Authority whatever: Nor can any Dissenters be brought over to the Unity and Communion of the Church of Christ in *England*, by those Principles which His Lordship was pleased to Instill and Recommend to the Reverend Clergy of his Diocese in His *CHARGE* to Them: But such Principles as prove the Church of *England* in its Doctrins and Powers to be Catholick and Apostolick being reviv'd, may prove the happy Means of their Restoration.

F I N I S.



